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ACTION SUMMARY COUNCIL MEETING

**December 16, 2008
5:00 p.m.**

A meeting of the Flagstaff City Council was held on December 16, 2008 convening at 5:11 p.m., in the Council Chambers at City Hall, 211 West Aspen Avenue, Flagstaff, Arizona.

CALL TO ORDER

The meeting was called to order by Mayor Presler.

1. PLEDGE OF ALLEGIANCE, READING OF THE MISSION STATEMENT, AND INVOCATION

Mayor Presler asked those present to stand for the Pledge of Allegiance, the reading of the Mission Statement, and the Invocation.

2. ROLL CALL

On roll call, the following were present:

Mayor Presler

**Vice Mayor White
Councilmember Brewster
Councilmember Evans
Councilmember Haughey
Councilmember Overton
Councilmember Swanson**

Also present were:

**City Manager, Kevin Burke
City Attorney, Patricia Boomsma**

3. MINUTES

No Minutes were submitted.

4. PUBLIC PARTICIPATION

- a. **Flagstaff Sister Cities – Introduction and Recognition of Teachers from Barnaul, Russia**
- b. **City Manager Excellence Awards Recipient Recognition.**

c. **Outgoing Board and Commission Member Recognition:**

(1) ***Vice-Mayor White:***

- (a) Jeran Fox, Sustainability Commission (October 3, 2006 through October 28, 2008).

(2) ***Councilmember Overton:***

- (a) Jim Tuck, Pedestrian Advisory Committee (July 11, 2007, through November 30, 2008).

5. CONSENT AGENDA

A. **Consideration of Bids:** Aerial truck for the Streets Section.

RECOMMENDED ACTION: Reject all bids.

The City Council voted unanimously to reject all bids.

B. **Consideration of Bids:** Cubic yard wheel loader.

RECOMMENDED ACTION: Approve the bid from Arizona Production Machinery & Supply for one JCB 409, wheel loader in the amount of \$58,577.00, plus tax and freight.

The City Council voted unanimously to approve the recommended action.

C. **Consideration of Construction Contract:** Railroad crossing modification project (quiet zones and wayside horns).

RECOMMENDED ACTION:

- (1) Approve the construction contract with 442 Construction, Inc., in the total amount of \$240,501.03, including a contract allowance of \$50,000.00, and a contract period of 70 calendar days;
- (2) Authorize the City Manager to execute the necessary documents; and
- (3) Authorize change order authority in the amount of \$24,050.00 (10% of the base bid contract amount) to cover potential costs associated with unanticipated or additional items of work.

The City Council voted unanimously to approve the recommended action.

D. **Consideration of Intergovernmental Agreement:** Reclaimed wastewater.

RECOMMENDED ACTION: Approve the Intergovernmental Agreement with Northern Arizona University.

The City Council voted unanimously to approve the recommended action.

E. **Consideration of Intergovernmental Agreement:** Multi-purpose trail in the Flagstaff downtown area.

RECOMMENDED ACTION: Approve the Intergovernmental Agreement with the State of Arizona, Department of Transportation, for a \$500,000.00 Transportation Enhancement Fund grant and a City match of \$30,223.00.

The City Council voted unanimously to approve the recommended action.

- F. **Consideration of Intergovernmental Agreement:** Arizona terrorism liaison officers and equipment.

RECOMMENDED ACTION: Approve the intergovernmental agreement with the State of Arizona, Department of Public Safety, Statewide Terrorism Office Program.

The City Council voted unanimously to approve the recommended action.

- G. **Consideration of Grant Agreement:** Owner occupied emergency repair program.

RECOMMENDED ACTION: Approve the grant agreement with the State of Arizona, Department of Housing and authorize the receipt of grant funds in the amount of \$110,000.00.

The City Council voted unanimously to approve the recommended action.

- H. **Consideration of Street Closure:** 2008 New Year's Eve bash.

RECOMMENDED ACTION: Approve the Aspen Avenue Street closure on Wednesday, December 31, 2008 and Thursday, January 1, 2009.

The City Council voted unanimously to approve the recommended action.

6. PUBLIC HEARING ITEMS (Public Hearing Items Will Not be Heard Prior to 5:30 p.m.)

- A. **Consideration of Public Hearing (RLUTP 2008-001):** An amendment to the Flagstaff Area Regional Land Use and Transportation Plan changing the land use designation of approximately 32 acres generally located east of I-17, north of West John Wesley Powell Boulevard, from Commercial/Regional Community to Office/Business Park-Light Industrial Land Use; and

RECOMMENDED ACTION: Open the public hearing.
Receive citizen input.
Close the public hearing.

The City Council appropriately opened the public hearing and received citizen input. Following a time for public input, the public hearing was appropriately closed.

- B. **Consideration of Resolution No. 2008-70:** A resolution amending the Flagstaff Area Regional Land Use and Transportation Plan changing the land use designation of approximately 32 acres generally located east of I-17, north of West John Wesley Powell Boulevard, from Commercial/Regional Community to Office/Business Park-Light Industrial Land Use.

RECOMMENDED ACTION: Read Resolution No. 2008-70 by title only.
Adopt Resolution No. 2008-70.

The City Council voted unanimously to read Resolution No. 2008-70 by title only. Resolution No. 2008-70 was read by title, after which it was unanimously adopted.

- C. **Consideration of Public Hearing (PC RLUTP 08-003):** An amendment to the Flagstaff Area Regional Land Use and Transportation Plan changing the land use designation of approximately 31.9 acres at 1700 South Northwestern Street from Parks Category Land to Medium Density Residential Designation.

RECOMMENDED ACTION: Open the public hearing
Continue the public hearing to the December 23, 2008
Special Council Meeting.

The City Council appropriately opened the public hearing and received citizen input. Following a time for public input, the City Council voted unanimously to continue the public hearing to the December 23, 2008 Special Council Meeting.

- D. **Consideration of Resolution No. 2008-71:** A resolution amending the Flagstaff Area Regional Land Use and Transportation Plan to change the land use designation of approximately 31.9 acres located at 1700 South Northwestern Street from Parks Category Land to Medium Density Residential Designation.

RECOMMENDED ACTION: Table to the December 23, 2008, Special Council Meeting.

The City Council voted unanimously to table the item to the December 23, 2008 Special Council Meeting.

- E. **Consideration of Public Hearing (PC REZ 08-003):** Proposed rezoning of a 31.9-acre parcel at 1700 South Northwestern Street from RR, Rural Residential, to MH, Manufactured Housing Zoning, Conditional.

RECOMMENDED ACTION: Open the public hearing.
Continue the public hearing to the December 23, 2008
Special Council Meeting.

The City Council appropriately opened the public hearing and received citizen input. Following a time for public input, the City Council voted unanimously to continue the public hearing to the December 23, 2008 Special Council Meeting.

7. REGULAR AGENDA

- A. **Consideration of Applicants for Appointments:** Open Spaces Commission. [The City Council may vote to discuss this matter in executive session pursuant to A.R.S. §38-431.03(A)(1). The names of the applicants may be obtained by contacting the City Clerk.]

RECOMMENDED ACTION: Make two appointments to natural sciences terms expiring April, 2009.

The City Council voted unanimously to appoint Stephen Hirst and Steve Messenger to natural sciences terms expiring April, 2009.

- B. Consideration of Applicants for Appointments:** Youth Commission. [The City Council may vote to discuss this matter in executive session pursuant to A.R.S. §38-431.03(A)(1). The names of the applicants may be obtained by contacting the City Clerk.]

RECOMMENDED ACTION: Make four appointments to terms expiring June, 2009.

The City Council voted unanimously to appoint Taylor Morron, Linnea Paseiro, Kelsey Randall, and Emmanuel Sanchez to terms on the Youth Commission expiring June, 2009.

- C. Consideration of Appointment of Councilmember Liaison:** Parks and Recreation Commission. [The City Council may vote to discuss this matter in executive session pursuant to A.R.S. §38-431.03(A)(1).]

RECOMMENDED ACTION: Make the appointment at the Council meeting.

The City Council voted unanimously to appoint Mayor Presler as the Council liaison to the Parks and Recreation Commission.

- D. Consideration of Applicants for Appointments:** Parks and Recreation Commission. [The City Council may vote to discuss this matter in executive session pursuant to A.R.S. §38-431.03(A)(1). The names of the applicants may be obtained by contacting the City Clerk.]

RECOMMENDED ACTION: Make one appointment to a term expiring August, 2011.

The City Council voted unanimously to appoint Ray Morron on a term on the Parks and Recreation Commission expiring August, 2011.

- E. Consideration of Ordinance No. 2008-34:** An ordinance amending Title 2, Boards and Commissions, by adding Chapter 2-23, creating a Flagstaff Area Regional Plan Citizens' Advisory Committee, and declaring an emergency.

RECOMMENDED ACTION: Read Ordinance No. 2008-34 for the final time by title only.
Adopt Ordinance No. 2008-34.

The City Council voted unanimously to read Ordinance No. 2008-34 for the final time by title only.

The motion to amend Section 2-23-001-0005 Duties, Paragraph A passed on unanimous vote as follows:

"The Flagstaff Area Regional Plan Citizens' Advisory Committee shall make recommendations to the Flagstaff City Council and the Coconino County Board of Supervisors and provide policy input to City staff and to any consultant retained by the City for the preparation of an updated Regional Plan..."

The City Council voted unanimously to read Ordinance No. 2008-34 by title only as amended. Title was read for the final time by title only, after which it was unanimously adopted.

- F. **Consideration of Ordinance No. 2008-35:** An ordinance authorizing the City of Flagstaff to enter into a Development Agreement with Joy Cone Company for expansion of its warehouse and manufacturing facility at the Flagstaff Pulliam Airport, and declaring an emergency.

RECOMMENDED ACTION: Read Ordinance No. 2008-35 for the first time by title only.
Read Ordinance No. 2008-35 for the final time by title only.
Adopt Ordinance No. 2008-35.

The City Council unanimously approved the reading of Ordinance No. 2008-35 for the first time by title only. Following the reading of the title for the first time, the City Council voted unanimously to read Ordinance No. 2008-35 for the final time by title only.

After the ordinance was read for the final time by title only, it was unanimously adopted by the City Council.

- G. **Consideration of Ordinance No. 2009-02:** An ordinance authorizing the City of Flagstaff to enter into a purchase and leaseback agreement for the acquisition of real property at 2620 North Rose Street, Flagstaff.

RECOMMENDED ACTION: Read Ordinance No. 2009-02 for the first time by title only.

The City Council voted unanimously to read Ordinance No. 2009-02 for the first time by title only. Ordinance No. 2009-02 was read by title only.

- H. **Consideration of Resolution No. 2008-22:** A resolution approving guidelines for special events within the City of Flagstaff.

RECOMMENDED ACTION: Read Resolution No. 2008-22 by title only.
Adopt Resolution No. 2008-22.

The City Council voted unanimously to require that decibel levels at all City venues read from the soundboard or within 100 feet of the speaker locations must not exceed 96 decibels.

The motion to amend the guidelines to require City Council approval on Special Event Permits proposing to distribute alcohol in Heritage Square passed on majority vote with Vice Mayor White and Councilmembers Brewster, Evans, Haughey, Overton and Swanson in favor and Mayor Presler opposed.

The City Council voted unanimously to read Resolution No. 2008-22 by title only as amended. Title was read for the final time by title only, after which it was unanimously.

- I. **Consideration of Resolution No. 2008-69:** A resolution of the City Council of the City of Flagstaff, Arizona, granting a public utility easement to Arizona Public Service Company at 3200 West Route 66 and authorizing the City Manager to execute the appropriate instruments to convey said easement.

RECOMMENDED ACTION: Read Resolution No. 2008-69 by title only.
Adopt Resolution No. 2008-69.

The City Council voted unanimously to read Resolution No. 2008-69 by title only. Resolution No. 2008-69 was read by title, after which it was unanimously adopted.

- J. **Consideration of Resolution No. 2008-72:** A resolution authorizing the City of Flagstaff to enter into a ground lease with Beaver Street Brewing Company, Inc., for the development of a café and brewery facility at the historic J.D. Halstead Lumber Company property located at 5 South San Francisco Street.

RECOMMENDED ACTION: Read Resolution No. 2008-72 by title only.
Adopt Resolution No. 2008-72.

The City Council voted unanimously to read Resolution No. 2008-72 by title only. Resolution No. 2008-72 was read by title, after which it was unanimously adopted.

8. COUNCIL DISCUSSION ITEMS

- A. **Consideration of Council Discussion:** Bicycle helmet ordinance.

RECOMMENDED ACTION: Discuss and provide direction.

The motion to instruct staff to proceed with an ordinance for Council's consideration establishing rules governing the use of bicycle helmets passed on majority roll-call vote with Mayor Presler, Vice Mayor White and Councilmembers Brewster, Evans and Swanson in favor, and Councilmembers Haughey and Overton opposed.

11. ADJOURNMENT

There being no further business to come before the Council, the Meeting was adjourned at 9:17 p.m.